

FIVE URGENT REFORMS

REFORM 1: Return balance to union workplace entry laws

AMMA IS ADVOCATING FOR FIVE URGENT REFORMS TO RESTORE SOME BALANCE TO OUR WORKPLACE RELATIONS SYSTEM AND BETTER SUPPORT EMPLOYMENT, INVESTMENT AND GROWTH IN AUSTRALIA'S RESOURCE INDUSTRY.

Reform 2: Return balance to union workplace entry laws by creating an enforceable code of conduct and removing union access to lunch rooms.

Why does Australia's laws on union access to workplaces need reform?

The Fair Work Act removed longstanding rules around when, where and how frequently unions could legally access workplaces. As a result, many resource workplaces began dealing with greatly increased entry requests, often from competing unions.

This became even more problematic in 2014, when further changes allowed union officials to access employees in their lunch areas, which were previously off limits.

Employers were also required to facilitate and subsidise the accommodation and transport of union officials to access remote sites, which can be very costly, disruptive and logistically difficult.

A 2016 survey of more than 100 resource employers found:


83%  are concerned with unions insisting on meeting with employees where they take meal breaks.

4 out of 5  have difficulty with interpreting union eligibility to access their workplaces.

86% are concerned about the costs of facilitating union entry, including accommodation and transport.

79% concerned with the frequency of union visits to hold discussions with employees.

6 out of 7  are concerned about disruption to normal operation when unions enter workplaces.

77%  are concerned about unions misusing entry powers, or entering for safety reasons when their true purpose is pursuing industrial relations claims.

How do we improve laws on union access to workplaces?

For a start...

- 1.** Limit entry to unions who are party to an enterprise agreement or attempting to reach one, and revoke changes to lunch room access and remote site accommodation/travel.
- 2.** Introduce a code of conduct to ensure decent standards of behaviour are observed by unions entering workplaces.
- 3.** Expand/clarify the circumstances under which a union entry permit could be suspended or revoked following a breach of rules.

How will Australia benefit if we address the problem?

Returning balance to union access laws will lesson unnecessary disruptions to productive resource operations and reduce associated costs.

This will help to strengthen Australia's reputation as a preferred destination to invest in new project that create employment and economic opportunities.

Returning balance to union workplace entry laws is one of the key workplace relations reforms that KPMG research found could collectively help

create **36,000 jobs** and add **\$30.9 billion** to Australia's GDP.